

1 **David Harold Moore**
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3 E-mail: kellerlitigation@gmail.com
4 Defendant *in propria persona*
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DISTRICT

11 **Steep Hill Laboratories, Inc.**

12 *et. al.*

13 Plaintiffs,

14 *v.*

15 **David Harold Moore,**

16 Defendant.
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Case No. 3:18-cv-00373-LB

**NOTICE OF MOTION AND MOTION
TO ENTER MONEY JUDGMENT
PURSUANT TO SETTLEMENT
AGREEMENT**

Date: January 30, 2020
Time: 9:30 a.m.
Room: Courtroom C - Floor 15
450 Golden Gate Ave.
San Francisco, CA 94102

Judge: Hon. Laurel Beeler

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21 **NOTICE OF MOTION AND MOTION**

22 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

23 Please take notice that on January 30, 2020, at 9:30 a.m. at the above-captioned Court, or
24 as soon thereafter as the matter may be heard, I, defendant and counter-claimant David Harold
25 Moore, will and hereby do move before the Honorable Magistrate Judge Laurel Beeler for an
26 order entering a money judgment on the basis of the on-the-record settlement agreement reached
27 on April 4, 2019 and entering judgment on the basis of that settlement agreement.

MOTION TO ENTER JUDGMENT PURSUANT
TO SETTLEMENT AGREEMENT
CASE No. 3:18-CV-00373-LB

Dated: December 24, 2019

By: /s/ David Harold Moore

David Harold Moore

Defendant and Counterclaimant

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 On April 4, 2019, the parties agreed to a settlement agreement, of which the terms are
 3 confidential. *See* ECF No. 92. However, I have over the past few months made numerous
 4 attempts to call counsel for Plaintiffs and otherwise communicate with them regarding the
 5 signing and implementation of the settlement agreement. They will not return my phone calls
 6 and refuse to enter into joint case management statements. As such, I would like to obtain a
 7 judgment memorializing the monetary part of the settlement agreement so that the judgment
 8 may be enforced, the amount contained on page 3, line 11 of the transcript of the settlement
 9 discussion.

10 However, I am unsure as to the extent of the confidentiality agreement, and would not
 11 want to breach it by disclosing the amount publicly. As such, I am requesting that the court
 12 summarily enforce the settlement agreement by entering a money judgment as called for in the
 13 on-the-record settlement or, in the alternative, clarify the scope of the confidentiality clause to
 14 allow me to move for entry of judgment on the specific amount.

15 I will provide a proposed judgment if the Court clarifies that I am allowed to do so by the
 16 terms of the confidentiality clause.

17 Dated: December 24, 2019

By: /s/ David Harold Moore

David Harold Moore

Defendant and Counterclaimant

DECLARATION

I, David Harold Moore, declare as follows:

1. I am over 18 years old and I make this declaration on the basis of my personal knowledge of the facts set forth below, with the exception of whichever facts may be stated on information and belief. Nonetheless, I believe those facts to be true. If called upon to testify, I could and would testify competently in support of each and every single fact stated herein.

2. I am the self-represented plaintiff in this case, and write and file this declaration in support of the attached motion.

3. Pursuant to Civil Local Rule 7-5(a), I declare that all factual contentions made in support of my attached motion are true and correct.

4. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: December 24, 2019

By: /s/ David Harold Moore

David Harold Moore

Defendant and Counterclaimant